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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ANDREW ARCHIE REYES,  
  
Defendant.

Case No. 2:23-CR-00176-SVW

**DEFENDANT ANDREW REYES'S  
REPLY IN SUPPORT OF MOTION  
TO COMPEL PRODUCTION OF  
MATERIALS PURSUANT TO RULE  
16 AND BRADY**

Defendant Andrew Archie Reyes, through counsel, hereby submits his reply brief in support of his motion to compel (Dkt. 71). This filing is based upon the attached memorandum of points and authorities, all files and records in this case, and any further evidence and argument as may be presented at the hearing on this motion.

Respectfully submitted,

CUAUHTEMOC ORTEGA  
Federal Public Defender

DATED: August 21, 2024

By /s/ James S. Threatt

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## MEMORANDUM OF POINTS AND AUTHORITIES

As the government describes, it has made additional discovery productions since the August 8 motions deadline. The defense submits this reply to discuss the two primary points of continued disagreement.

*First*, the defense continues to maintain that surveillance footage from inside the Ventura Social Security Office is highly relevant to the trial in this matter. As noted in its moving papers, the defense has requested this surveillance footage at least three times over the last 15 months. The footage from inside the building, in particular, is highly relevant because it would show what Mr. Reyes may have been responding to when he encountered the complaining witness, J.P. In fact, in his post-arrest interview, Mr. Reyes specifically asked investigators to collect the surveillance footage starting 10 minutes before the incident and continuing 10 minutes after—including from inside the building. (USAO\_000004.) Mr. Reyes would then be able to “explain the whole story man.” (USAO\_000004.) When asked why the footage was so important, Mr. Reyes elaborated that “they already had someone laid out on the floor [inside the office]” and that was why “they [J.P.] didn’t wanna even let me in there.” (USAO\_000004.)

Particularly given Mr. Reyes’s request on the day of the incident, which put the government on notice to preserve this video footage—not to mention the defense’s repeated requests beginning shortly after Mr. Reyes made his initial appearance in federal court and continuing over the last 15 months—the defense intends to request an adverse jury instruction to the extent this video footage has not been produced because it no longer exists.

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